



MEMO ENDORSED

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February 8, 2006

BY FAX

The Honorable James C. Francis IV
United States Magistrate Judge
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street - Room 1960
New York, New York 10007-1312

USDC SDNY	
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DOCKET
IN EACH
CASE

Re: Bastidas v. The City of New York, et al., USDC SDNY 05 CV 7670 (KMK)(JCF)
Remmes v. The City of New York, et al., USDC SDNY 05 CV 9940 (KMK)(JCF)¹
Wilcox v. The City of New York, et al., USDC SDNY 05 CV 9990 (KMK)(JCF)
~~Schiller et al. v. The City of New York, et al., USDC SDNY 04 CV 7922 (KMK)(JCF)~~
 (For All Consolidated RNC Cases)

Dear Judge Francis:

As we discussed with you at the last RNC status conference, on January 18, 2006, defendants respectfully request that you order plaintiffs in all of the above-captioned cases to release to defendants their information that has been sealed pursuant to New York Criminal Procedure Law § 160.50. Your Honor recently entered an order granting this relief in connection with several other RNC cases (see Exh. "A" hereto).

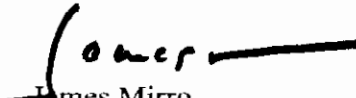
In the Bastidas case, defendants forwarded blank releases and a request that plaintiffs execute those releases on September 28, 2005 and November 4, 2005; in the Remmes case, releases were sent on December 19, 2005 and January 17, 2006; in the Wilcox case, releases were sent on January 11, 2006 and January 19, 2006. In those cases, plaintiffs Lauren Casper (Bastidas), Chris Remmes (Remmes) and Adrienne Wilcox (Wilcox) have not yet returned their releases.

Given the critical importance of the discovery sought through these releases and the need to move all of these cases on to the next stage without further delay, defendants respectfully request that plaintiffs in the foregoing named cases and in all of the Consolidated RNC Cases be ordered: (1) to provide to defendants properly executed releases within ten (10)

¹ On January 26, 2006, Judge Rakoff indicated to counsel that he intended to transfer the Remmes case to Judge Karas as a related RNC case.

days of your order on this application with respect to any plaintiffs who have not yet returned such releases to defendants or be subject to the dismissal of their claims; and (2) to provide to defendants properly executed releases within ten (10) days of the filing of any amended complaint adding or seeking to add new plaintiffs to any of the foregoing Consolidated RNC Cases or be subject to the dismissal of their claims.

Very truly yours,


James Mirro

cc: Counsel in all Consolidated RNC Cases (by email)
Peter Farrell
Fred Weiler
Jed Weiss
Jeff Dougherty

2/9/06
Application granted.
SO ORDERED.
James C. Francis IV
